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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/739,450 | 12/18/2000 | Phillip R. Tiongson | POU920000177US1 | 3478 |
| 23334 | 7590 | 02/05/2004 | EXAMINER | |
| FLEIT, KAIN, GIBBONS, GUTMAN, BONGINI & BIANCO P.L. ONE BOCA COMMERCE CENTER 551 NORTHWEST 77TH STREET, SUITE 111 BOCA RATON, FL 33487 | | | LEWIS, ADAM M | |
| | | ART UNIT | | PAPER NUMBER |
| | | 2174 | | |
| DATE MAILED: 02/05/2004 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/739,450 | TIONGSON ET AL. | |
| | Examiner | Art Unit | |
| | Adam M. Lewis | 2174 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 08 December 2003.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-21 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) 14-21 is/are allowed.

6) Claim(s) 1-3 and 11 is/are rejected.

7) Claim(s) 4-10 and 12-13 is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) The translation of the foreign language provisional application has been received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

| | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to Amendment B, filed 12/8/2003.
2. Due to an oversight by the examiner, claims 11 and 13 will be reexamined on their merits. Therefore, this action is made non final.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamada ("Yamada", US# 6,166,733).

As per independent claim 1, Yamada teaches a method for scrolling through at least part of a complete multimedia data set including still images, video, audio, and text, the method comprising:

receiving the size of a complete data set (Yamada, inherent in lines 1-2 of abstract);

displaying a first scrollable region of indicators that represent the complete data set, the first scrollable region having a first marker to indicate a current selection from the complete data set (Yamada, col. 2, lines 12-18);

displaying a second scrollable region of indicators that represents a subset of the complete data set in the first scrollable region, the subset containing less data than is contained in the complete data set and the second scrollable region containing a second marker indicating the current selection from the complete data set (Yamada, Fig. 3; col. 2, lines 33-36; col. 5, lines 58-61);

displaying a third region for displaying a current selection from the complete multimedia data set (Yamada, col. 3, lines 62-65); and

receiving user input to move the second marker between a first indicator and a second indicator in the second scrollable region of indicators whereby the current selection in the third region is changed to correspond to a new selection from the complete multimedia data set corresponding to the second indicator (Yamada, col. 5, lines 62-67; col. 6, lines 35-37).

Independent claim 11 is similar in scope to claim 1, and is therefore rejected under similar rationale.

As per claim 2, which is dependent on claim 1, Yamada teaches the step of displaying a second scrollable region includes displaying the second scrollable region formed to illustrate an expansion of the subset of the complete data set as a geometric shape selected from the group of geometric shapes consisting of trapezoids, rhombuses, triangles and rectangles (Figs. 3 and 5).

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada in view of Wang ("Wang", US# 6,028,603).

As per claim 3, which is dependent on claim 1, Yamada teaches the step of displaying a second scrollable region includes displaying a second scrollable region with an edge adjacent to the third region (Yamada, Fig. 3). Yamada does not teach edge comprising a series of thumbnail images corresponding to images included in the subset of the complete data set.

Wang teaches a program in which a database is accessed with thumbnails corresponding to each item in the database (Wang, col. 6, lines 66-67; col. 7, lines 1-8). The motivation to combine the thumbnail system of Wang into the keyword system of Yamada would be to generate a picture, still frame of a video, or a miniaturized version of some other data, rather than just text. Since Yamada is capable of generating text with pictures (Yamada, Fig. 9), it would be obvious to one skilled in the art to generate only a thumbnail of the multimedia in the database.

Allowable Subject Matter

8. Claims 4-10 and 12-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. Claims 14-21 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art of record fails to anticipate or make obvious the claimed invention. Specifically the prior art fails to teach, in combination with the remaining elements:

a trapezoidal scroll area with a series of separators defining a plurality of continuous regions within the trapezoidal scroll area as referenced directly or indirectly in claims 4-10 and 12-21;

Moran teaches a second trapezoidal scrollable region, but fails to disclose any sort of separators indicating specific items within the region.

Response to Arguments

10. Applicant's arguments filed 12/8/2003 in Amendment B have been fully considered but they are not persuasive.

Applicants argued the following:

(a) Yamada does not teach a second scrollable region that represents a subset of the complete data set, the subset containing less data than is contained in the complete data set;

(b) Yamada does not teach a scrollable region formed to illustrate an expansion of the subset of the complete data set as a geometric shape;

(c) Yamada does not teach displaying the second scrollable region formed to illustrate an expansion of the subset of the complete data set.

The Examiner disagrees for the following reasons:

Per (a), Yamada does teach a second scrollable region containing a subset of the complete data set. The second scrollable region disclosed by Yamada is embodied by the area to the right of the main search bar (Yamada, Fig. 7 callouts 82 and 83). The subset of the complete data set disclosed by Yamada is embodied by the single item (Yamada, Fig. 7 callout 83) and the several items from the "others" tab (Yamada, Fig. 7 callout 81 and Fig. 5).

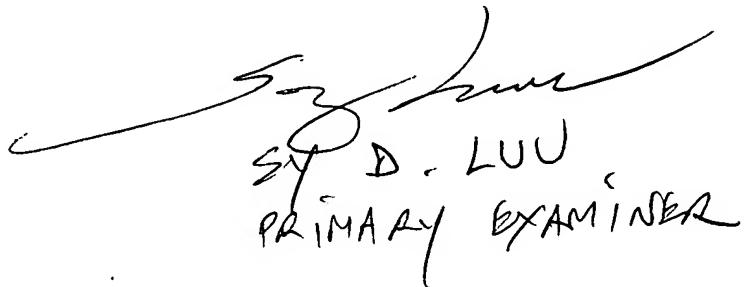
Per (b) and (c), Yamada does teach the second scrollable region formed to illustrate an expansion of the subset of the complete data set as a geometric shape. The expansion is most evident in the "others" tab shown in Fig. 5. The geometric shape is embodied by the rectangular bounding box of the several items in the "others" category.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam M. Lewis whose telephone number is 703-305-0720. The examiner can normally be reached on M-Th 7:00-4:30, Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

al


SY D. LUU
PRIMARY EXAMINER